

ILLINOIS CHILDREN AND FAMILY SERVICES ADVISORY COUNCIL

RULES OF PROCEDURE

September 2019

Article I - Name and Mandate

Section 1.

Pursuant to Public Act 99-346, and 20 ILCS 5/5-535 (formerly 20 ILCS 5/6.15) the Governor of the State of Illinois has authorized the Director of the Illinois Department of Children and Family Services to create the Illinois Children and Family Services Advisory Council with the objective of advising the Department, reviewing, and evaluating Department policy, procedures, to improve the lives of youth currently in foster care and to reduce the number of children whom are the victims of child abuse and neglect.

The Illinois Children and Family Services Advisory Council may make recommendations in each of the following categories, but is not limited to these categories:

1. Reviewing the Departments' monitoring process for child care facilities and child care institutions, as defined in Sections 2.05 and 2.06 of the Child Care Act of 1969;
2. Reviewing monitoring standards to address the quality of life for youth in Departments' licensed child care facilities;
3. Assisting and making recommendations to establish standards for monitoring the safety and well-being of youth placed in the Departments' licensed child care facilities and overseeing the implementation of its recommendations;
4. Identifying areas of improvement in the quality of investigations of allegations of child abuse or neglect in the Departments' licensed child care facilities and institutions and transitional living programs;
5. Reviewing indicated and unfounded reports selected at random or requested by the Council;
6. Reviewing a random sample of comprehensive call data reports on
 - a. calls made to the Departments' statewide toll-free telephone number established under Section 9.1a of the Child Care Act of 1969 and
 - b. calls made to the central register established under Section 7.7 of the Abused and Neglected Child Reporting Act through the State-wide, toll-free telephone number established under Section 7.6 of the Abused and Neglected Child Reporting Act, including those where investigations were not initiated; and
7. Preparing and providing recommendations that identify areas of needed improvement regarding the investigation of allegations of abuse and neglect to children in Departments' licensed child care facilities and institutions and transitional living programs, as well as needed changes to existing laws, rules, and procedures of the Department, and overseeing implementation of its recommendations.

Section 2.

Pursuant to Section 106 (c) of the Child Abuse Prevention and Treatment Act, as amended (42 U.S.C. 5101 et seq.), the Director of DCFS designates the Illinois Children and Family Services Advisory Council membership (or a subcommittee thereof) as a Citizen Review Panel to examine the policies and procedures of State and local agencies and evaluate the extent to which the agencies are effectively discharging their child protection responsibilities.

Section 3. Records and Information

The Department shall provide, upon request, all records and information in the Departments' possession relevant to the Council's review. All documents, in compliance with applicable privacy laws and redacted where appropriate, concerning reports and investigations of child abuse and neglect made available to members of the Council and all records generated as a result of the reports shall be confidential and shall not be disclosed, except as specifically authorized by applicable law. It is a Class A misdemeanor to permit, assist, or encourage the unauthorized release of any information contained in reports or records and these reports or records are not subject to the Freedom of Information Act.

Section 4. Report to General Assembly

Pursuant to 20 ILCS 5/5-535 (formerly 20 ILCS 5/6.15) this council shall file initial recommendations with the General Assembly and made available to the public no later than **March 1, 2017**.

Section 5.

Illinois Children and Family Services Advisory Council shall conduct its business in accordance with the Open Meetings Act (5 ILCS 120/).

Article II - Membership

Section 1. Size of Committee

The Illinois Children and Family Services Advisory Council shall be a multidisciplinary Advisory Council composed of at least 21 professionals and advocates with knowledge and experience relating to the criminal justice system and issues of child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment related fatalities. Pursuant to 20ILCS 5/5-535 membership must include at least one youth from each of the Departments' regional youth advisory boards established pursuant to Section 5 of the Department of Children and Family Services Statewide Youth Advisory Board Act and at least 2 Foster Care Alumni of the Department. The Advisory Council may have representatives from each of the following areas who represent the geographic and cultural diversity of the state to the greatest extent possible:

Child Protection
Members of the Legislature
Child Abuse Pediatrics

Health - Mental Health
Law Enforcement
Legal
Youth in Care (4)
Foster Care Alumni (2)

The Advisory Council may make recommendations for new members to the Director of the Department. Those recommendations must then be approved by the Governor's Office. All members will be then confirmed by the Illinois State Senate.

- a.) Members may participate prior to Gubernatorial appointment but may not vote
- b.) Members approved by the Governor's Office, may vote prior to Senate Approval
- c.) Official terms begin upon the Official Governor's Office Appointment

Section 2. Membership Terms

The Director of the Department shall appoint all members of the Illinois Children and Family Services Advisory Council.

In appointing the first Council, 8 members shall be named to serve 2 years, and 8 members named to serve 4 years. The member first appointed under Public Act 83-1538 shall serve for a term of 4 years. All members appointed thereafter shall be appointed for terms of 4 years.

If possible Members shall be appointed to 4-year staggered terms. No member shall be appointed to more than two consecutive terms. As nearly as possible, the terms of one-fourth of the members shall expire each year on June 30th.

Any member appointed to fill a vacancy for a partial term shall have the option to continue membership through the equivalent of two full terms (8 years).

All new members must complete the OMA electronic training within 90 days of Gubernatorial appointment and file a copy of the Certification of Completion with Illinois Children and Family Services Advisory Council Administrator.

All new members must complete the Ethics requirement within 90 days of Gubernatorial appointment

Section 3. Compensation

Members of the Advisory Council shall serve without compensation except that they may be reimbursed for allowable travel and other approved expenses in connection with Advisory Council meetings and business. Such reimbursement shall be consistent with statutory provisions and regulations of the Department of Central Management Services.

Section 4. Ad-Hoc Membership

The Illinois Children and Family Services Advisory Council may nominate and choose to appoint Ad-Hoc members, who are recognized as essential experts in ongoing projects. These Experts do not have the ability to vote, but can participate in all other aspects of the meeting.

- a.) These members serve in this position at the sole discretion of the Director. They are not official members, thus are not required to complete Ethics, OMA, or other Applications for membership.

Article III – Officers, Staff and Liaisons

Section 1. Term

A Chairperson, a Vice Chairperson, and a Secretary shall be elected by the Advisory Council from among its members for a term of one year beginning July of each year. An officer shall be eligible for re-election to the same office for no more than two consecutive terms.

Section 2. Chairperson

The Chairperson of the Advisory Council shall perform the duties ordinarily ascribed to such office and shall preside at all meetings of the Advisory Council. The Chairperson shall also serve as an ex-officio member of all subcommittees of the Advisory Council and shall make such reports on behalf of the Advisory Council to the Director as may be required.

Section 3. Vice-Chairperson

The Vice Chairperson shall assume the duties of the Chairperson when that person is unavailable for his/her duties and shall organize a Nominating Committee to prepare an annual roster of officers and potential new members for vacant membership positions. Vice Chairperson shall also act as the Open Meetings Officer for the Advisory Council or may appoint a designee to act in that capacity.

Section 4. Secretary

The Secretary shall review the recorded and transcribed minutes of the meeting and shall forward the minutes to the Department Liaison for distribution.

Section 5. Liaison

The Director of the Department shall identify a Liaison for the Advisory Council who will coordinate all information received and distributed by the Advisory Council and will pursue information and distribution of recommendations to the Department on behalf of the Advisory Council as requested.

Article IV - Meetings

Section 1. Frequency

Regular meetings of the Advisory Council shall be held at least quarterly. Such meetings will be held at specified times and places convenient and open to the public and determined by the Chairperson after consultation with members of the Advisory Council and the Liaison.

Schedule for the upcoming year shall be set by Fiscal year, and provided to the Liaison for public posting and room reservation purposes.

The meeting scheduled in May shall be designated as the Advisory Council Annual Meeting and

shall include the nomination of officers, and the recommendation of new members, if vacant seats exist.

Section 2. Roberts Rules of Order

Meetings shall be held in accordance with Roberts Rules of Order, newly revised unless otherwise superseded by the Open Meetings Act.

Section 3. Meeting Notification

Members shall be notified of meetings by the Liaison at least 30 days in advance. A meeting agenda shall be prepared by the Liaison in consultation with the Chairperson and posted on the Councils webpage in accordance with the Open Meetings Act. Membership will receive a calendar invite for scheduled meeting for the entire year, and will receive reminder e-mails at least 48 hours prior to the meeting.

Section 4. Meetings Attendance and Resignation

It is the preference that members attend meetings in person. Any member who has 2 or more unexcused absences will receive a letter from the Chair reinforcing that in-person attendance is a must, and notifying them that without attendance, they will request the Director, and the Governor dismiss the member.

In instances of extenuating circumstances, this requirement may be waived for a member(s) by the decision of the Executive committee.

Inactive members shall be terminated and replaced at the recommendation of the Advisory Council Chairperson and with the approval of the Director.

- a.) Resignation of a member: A member may resign their seat on this Advisory Council at any time, upon written notice to the department liaison
- b.) In the event of a resignation, the Advisory Council, and the Director will seek a new member, who may fill that seat for the duration of that term. This does not constitute an official term, and that member may be re-appointed for up to two additional terms (8 years) Pursuant to Article II, Section 2.

Section 5. Telephonic Participation

Any member of the Council may participate in a meeting by means of conference telephone or similar communication method. In compliance with OMA (5 ILCS 120/7 Section 7)

- (a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of:
(i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.
- (b) If a member wishes to attend a meeting by other means, the member must notify the

recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

Section 5.a Voting By Phone

If the above section is met in full and this council votes to allow, members can be allowed to vote telephonically.

Section 6. Special Meetings

Special meetings of the Advisory Council may be called by the Chairperson after consultation with the Vice Chair, Secretary, and Liaison provided that 1) at least seven days written notice is given to members and the public; 2) such notice sets forth the purpose of the special meeting; and 3) no business other than that specified in the notice is transacted during the special meeting.

Section 7. Public Comment

As per the Open Meeting Act, public comment will be made possible at each meeting. Comments are limited to the subjects on the agenda and shall be reasonable in length as determined by the agenda and the Chair.

Section 8. Agenda Distribution

Agenda's will be distributed at a minimum of 48 hours prior to the meeting, and posted to the Councils website, in accordance to OMA standards.

Article V - Quorum

Section 1. Quorum

A quorum at any regular or special meeting of the Advisory Council shall be necessary to transact business and shall be defined as a majority of the total membership. This Council's total membership is currently set at 21 members, if fully seated, a quorum would consist of 12 members, and a majority of voting members would be 7 members.

- a.) Members participating telephonically cannot constitute a quorum per OMA (5 ILCS 120/1.02) (from Ch. 102, par. 41.02). However, if an In-Person Quorum is achieved, OMA does allow for phone participation, and this council has propagated additional rules around telephone voting.
- b.) Without a quorum this council cannot conduct any business as established by OMA.

Article VI - Subcommittees

Section 1. Subcommittee Organization

The Advisory Council may be organized into working subcommittees with membership to be determined by individual interest and expertise, as much as possible. In order to achieve a balance among the subcommittees, the Chairperson may request that members with a particular expertise be assigned to a specific subcommittee.

Section 2. Chairperson Term

Each subcommittee will elect its own chairperson for a one-year term, renewable up to three terms.

Section 3. Meeting Schedule

Subcommittee meetings or teleconferences shall occur as needed between regularly scheduled Advisory Council meetings. The subcommittee chair shall prepare a report of activities and send the report to the Liaison at least two weeks prior to the next scheduled Advisory Council meeting.

Section 4. Executive Committee participation

The Advisory Council Chair, Vice Chair, Secretary and Committee Chairs shall make up an Executive Committee for the purpose of ongoing organizational review and official liaison functions to the Director of DCFS.

Article VII - Amendments**Section 1.**

The Rules and Procedures of the Advisory Council may be amended by a two-thirds vote of the members present at any regular or special meeting of the Advisory Council, provided that the proposed amendment has been submitted in writing to all members at least seven days prior to the meeting, and all notices of the meeting meet the minimum requirements as laid out by the OMA.